

A regular meeting of the Royal Oak City Commission was held on Monday, April 25, 2016, in the city hall, 211 Williams, Royal Oak. The meeting was called to order by Mayor Ellison at 7:30 p.m.

Commissioner Douglas gave the Invocation. Everyone present gave the pledge of allegiance.

ROLL CALL	PRESENT	ABSENT
Mayor	Ellison	
Mayor Pro Tem	Fournier	
Commissioners	Douglas	
	DuBuc	
	Mahrle	
	Paruch	
	Poulton	

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PUBLIC COMMENT

Mr. Matt York, 2423 Linwood, president of the Royal Oak Sandlot League, invited everyone to the home opener scheduled for June 5 at 11:00 a.m. at Memorial Park.

Ms. Pat Franz, 1501 Owana, was against the proposed development for the city hall site and stated her reasons why. She urged residents to demand more information on how this was determined and to look at alternatives.

Mr. Kevin Walby, owner of the business at 4250 Normandy Ct., noted they were not included in a preliminary meeting on March 21. They received a letter 10 days ago. He opposed the sidewalks because it was industrial area. The cost would be a hardship.

Mr. Jeffrey Sols owns a property at 4914 Leafdale. He disagreed with the criteria used to determine the need for replacement. He also felt the cost should be shared by all that would benefit from the improvement. He hoped they would re-evaluate before a final decision was made.

Mr. Mark Ryan, 4343 Normandy Ct., stated that in 2004 the decision was made not to install sidewalks. In 1989 during construction they were required to have a landscape plan that included a berm to block the sight of the parking lot. Sidewalks would require its removal. He was disappointed in the notice process.

Ms. Candace Isaacson, 513 Wellesley, questioned why they were only working with one developer on the central park project. If they could remodel the schools, why couldn't they remodel city hall? They didn't need another park and it was a bad location for a park.

Mr. Paul Nefouse, 4320 Delemere Ct, was against installing sidewalks because it would be too close to the railroad tracks and encourage walkers to cut across the tracks.

Mr. Victor Reid, 133 Curry, owns property at 4929 Leafdale. The side of the property abutting Parmenter has a steep hill. If they were to install sidewalks he would have to install a retaining wall and other improvements estimated at \$60,000. He asked that they consider that when making their decision.

Mr. Mike Grant, 4602 Hampton, wanted them to consider that the school district would have to absorb the cost for sidewalks at Upton school. That's why they were exempted in 2004.

Mr. Jim Wyss, 4353 Delemere, 4605 Delemere and 26015 Nakota, stated his company has been there for over five decades because they felt they had a great partnership with the city. They needed the city's help in the partnership to use their revenue to keep growing so they can provide jobs and training for employees.

Ms. Paige Erlich, 627 Knowles, suggested that downtown Royal Oak apply to become a quiet zone regarding train horns. She gave an information packet to the commission.

Mr. Tony (inaudible) owner of the building at 4425 Fernlee, wanted to know what predicated the decision to install a sidewalk in front of his building. How many complaints had they received? If he lived in that area he'd find a nicer place to walk.

Mr. Barry Boulianne owns the building at 4949 Fernlee. He had no problem with replacing the damaged flags south of his property but saw no need to install new sidewalk. They just installed new fiber optic cables in front. Students never use the street.

Mr. Victor Reid Sr, 532 W. Webster, co-owner of properties at 4929 and 4931 Leafdale, was opposed to the installation of sidewalks on his properties. If they remove the grass they'd get a washout from the building. If they build any kind of structure they'd need approval from MIOSHA. The landscape and structure was built because of the loading dock. A sidewalk would run into their loading dock.

Mr. David Suratt, Mayo Welding at 5061 Delemere, believed installing sidewalks would just encourage students from Oakland Technical Center to cross the street to smoke. They were going to replace the slabs in his driveway with 6" slabs. They would need to be replaced frequently because of the weight of the trucks. He had questions about the other sidewalks in the area.

Mr. Joe Polito, 4260-64 Edgeland, believed they received a letter from Mr. Kirkland on behalf of the 11 business owners in Oak Industrial Park. The letter set forth the reasons, from a safety standpoint, they didn't think sidewalks should be installed. There has been no change since 2004 when this was considered and rejected. He stated his reasons for believing the city's action was illegal.

Ms. Marie Johnson, 4427 Hampton, noted that during last week's meeting Mr. Johnson admitted city hall was structurally sound so why was it being torn down. They didn't need another park. The parks near her haven't had new equipment in years. They can't use the tennis courts because they are leased and locked.

Mr. Greg Helfrich, 3615 Hillside, stated that earlier in the month all of the trees and bushes were removed from the island in his cul de sac. He was told it was because they were overgrown and the tree in the center was dead. He disagreed with that assessment.

Mayor Ellison asked City Manager Johnson to look into the matter.

Mr. Arturo Sanchez, 3217 Shenandoah, also co-owns property on Delemere. He never received a preliminary letter regarding the sidewalks. It made no sense to install sidewalks only on the west side of the street. It would seem to be dangerous to have pedestrians cross the street to use a sidewalk. Would they bury the electric wires first? This would severely effect neighboring businesses and devastate their property values.

Ms. Valerie Nolan volunteered at the homeless shelter at the church at 13 and Crooks. It was heartbreaking to see so many homeless in the city. She was told the city deals with it by arresting them. She distributed copies of a Time magazine article that offered solutions to the problem.

Mr. Wesley Cook, 115 Edmund, represented 4359 Normandy Ct. What had changed since 2004 when the issue was last visited? He called neighboring cities and none of them have industrial parks with sidewalks. They were required to redo the landscaping to get a certificate of occupancy. Installing sidewalks would require removal of that landscaping. Would they lose their certificate?

Ms. Carolyn Coppock, 4354 Normandy Ct., was concerned about the safety of pedestrians and did not feel sidewalks should be installed.

Mr. Don Kirkland, 4303 Normandy Ct., asked that they meet with the community. If they had spoken with them, the engineering department wouldn't be recommending sidewalks.

Ms. Joan Larson, 5015 Elmhurst, didn't think sidewalks were necessary in industrial areas.

Ms. Carol Hennessey, 258 E. 12 Mile Road, stated the Royal Oak Memorial Society would be cleaning veterans' graves on May 7 and 14 and placing flags on May 28 at Oakview Cemetery. Work starts at 10:00 a.m. Applications for the Memorial Day Parade, which will be on May 30 at 9:00 a.m. were mailed out. She expressed the memorial society's concern with the project's plan for the memorial. They didn't want to see the green space in front of it lost. She was also concerned about the lack of handicap parking.

Mr. Gerald Drouillard, 4411 Delemere, felt only a small percentage of those against the sidewalks were present. Sidewalks would not be good for the people who showed up. What was the next step?

Ms. Laura Krawinkel, 5130 Meijer Drive, stated installing a sidewalk made no sense. Once you turn the corner it's Troy. There's no foot traffic because it's an industrial area. Did anyone analyze the foot traffic?

Ms. Sharon Waines, 4603 Mankato, explained what sidewalk she wanted exempted. She would like to see sidewalk installed at Upton School.

Mr. Bob Kelly, owner of 4350 and 4535 Delemere, opposed sidewalk installation in the area. He thought the decision in 2004 was final. It wasn't a safe area for pedestrians.

Ms. Joan Larson, 5115 Elmhurst, stated they needed to review why city hall needed to be taken down.

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APPROVAL OF AGENDA

Item 6L was pulled from the consent agenda. Item 11 was moved up to follow item 8. Item 6K was moved to the end of the agenda.

Moved by Commissioner Mahrle
Seconded by Commissioner Douglas

BE IT RESOLVED that the city commission hereby approves the agenda for the April 25, 2016 meeting as amended.

ADOPTED UNANIMOUSLY

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CONSENT AGENDA

Commissioner DuBuc left the table at 9:14 p.m.

Moved by Commissioner Poulton
Seconded by Commissioner Paruch

BE IT RESOLVED that the city commission hereby approves the consent agenda as follows:

- A. BE IT RESOLVED that the city commission minutes of April 11, 2016 are hereby approved.

- B. BE IT RESOLVED that the claims of April 12, 13, 15 and 26, 2016 audited by the department of finance are hereby approved.

- C. Be it resolved, the city commission approves the following requisitions/purchase orders for fiscal year 2015-16:

Requisition # R004253
Vendor: West Shore Services, Inc
Requesting approval for: \$12,800
Price Source: quote
Budgeted: \$12,800
Department / Fund: fire/public safety
Description: 11 scott carbon fiber cylinders

Requisition # change order
Vendor: Cannon Equipment
Requesting approval for: additional \$3,870 total \$16,260
Price Source: quote
Budgeted: \$16,260
Department / Fund: motor pool
Description: vehicle repairs

Requisition # R004258
Vendor: Radiotronics, Inc
Requesting approval for: \$2,310
Price Source: quote
Budgeted: \$2,310
Department / Fund: motor pool
Description: K9 vehicle equipment hot-n-pop

- D. Be it resolved, the city commission declares the above property surplus and authorizes the disposal of those items by auction. Any net proceeds from the sale of the items listed under "information systems" will be deposited into information systems miscellaneous revenue account 636.000.67100 or gain on fixed assets account 636.000.69301 as appropriate.
- E. Be it resolved, the city commission approves the amended agreements to the ICMA-RC 401(a) government money purchase plans and trusts (108987, 106557, 106556) as presented and authorizes the mayor and city clerk to sign the ICMA-RC agreements.
- F. Be it resolved, the city commission hereby approves that ATI Group of Flushing, Michigan be awarded the City Buildings Heating, Ventilating and Air Conditioning Maintenance, Contract B1601 for the bid price of \$62,730 and a purchase order shall be issued in the amount of the bid price, and directs staff to issue a purchase order for the amount of the bid price.
- G. Be it resolved, the city commission hereby approves Contract Modification 3 to Royal Oak Contract B1302 with ATI Group of Flushing, Michigan to perform HVAC repair and upgrade work for city hall in the amount of \$38,990, and directs staff to issue a purchase order for the amount of the contract modification. The new completion date of the contract remains unchanged.
- H. Be it resolved, the mayor and city clerk are authorized to execute the construction engineering services contract with Fishbeck, Thompson, Carr & Huber, Inc., of Farmington Hills, Michigan to provide the required construction engineering services for the federally funded South Main Street resurfacing project for the estimated proposal

price of \$261,557.44; and directs staff to issue a purchase order in the amount of the proposal.

- I. Be it resolved, the mayor and city clerk be authorized to execute the grant of the agreements with WS Royal Oak, LLC, of Southfield, Michigan for the new public water main and sanitary sewer at the "Midtown Pointe" project site.
- J. Whereas, the City of Royal Oak has adopted a sign ordinance (chapter 607, signs, of the code of the City of Royal Oak) to create the legal framework for a comprehensive and balanced system of regulating signs and outdoor advertising within the city in the interest of public health, safety and welfare; and

Whereas, the sign ordinance permits signs with messages that change automatically provided they have a cycle time of not less than 30 seconds, according to Section 607-16, subparagraph E, of the ordinance; and

Whereas, the sign ordinance does not define or contain regulations that apply specifically to electronic message centers, or signs that can be electronically changed by remote or automatic means, or that appear to change by any method other than manually removing and replacing the sign or its components, such as video displays, animated signs, intermittent illumination, light-emitting diodes (LED's), devices manipulated through digital input, or any similar method or technology that allows the sign to present a series of images; and

Whereas, the United States Supreme Court's ruling in Reed v. Town of Gilbert, Arizona, has impacted several regulations contained in the city's sign ordinance; and

Whereas, in light of the court's ruling and the volume of sign variance applications, amendments to the sign ordinance are being prepared regarding all signs, including the installation of electronic message centers; and

Whereas, the city commission has determined that it is necessary to give further study to the installation of electronic message centers, in order to insure consistent, cohesive and sensible signs and outdoor advertising in the city; and

Whereas, the city commission has determined that during this further study, it would be counterproductive if applications for approvals related to the installation of electronic message centers were allowed to move forward; and

Whereas, the city commission also recognizes that deferring review of applications for approvals related to the installation of electronic message centers could result in hardship to some applicants;

Therefore, Be It Resolved, during the course of the city's deliberations as to the appropriate regulations for all signs, review of all applications related to the installation of electronic message centers should be deferred, and the moratorium originally adopted on November 16, 2015 and set to expire May 14, 2016, is hereby extended, effective immediately, for an additional period of 180 days.

Be It Further Resolved, during the period of this moratorium, there shall be no consideration or action taken by the city, any elected official, any appointed official, or any employee on any request for any approval related to the installation of electronic message centers.

Be It Further Resolved, during the period of this moratorium, any entity or property owner alleging that the deferred review resulting from the moratorium will result in the denial of

all permissible signs and outdoor advertising or would otherwise result in a violation of applicable federal or state constitution or law shall be entitled to an expedited hearing before the city commission. At the conclusion of this hearing, the city commission shall make findings and conclusions with respect to whether or not the petitioner has demonstrated that all permissible signs and outdoor advertising have been denied by the deferred review, and/or whether or not this resolution on its face or as applied to the petitioner violates applicable federal or state constitution or law. If it is demonstrated and found that the deferral has the effect of denying all permissible signs and outdoor advertising, or that the deferral violates applicable federal or state constitution or law, the city commission shall grant relief from the moratorium to the extent necessary to cure the violation.

- M. Be it resolved, the city commission hereby authorizes the city attorney to prepare a license agreement for La Dulce at 115 South Main Street permitting an encroachment into the public right-of-way of South Main Street for purposes of an outdoor seating area, provided the petitioner submits the required specifications, a cross-section for the required railing and all other required documents; and

Be it further resolved, the mayor and city clerk are authorized to execute said license agreement when prepared.

AYES: Commissioners Douglas, Mahrle, Paruch, Poulton, Mayor Pro Tem Fournier and Mayor Ellison

NAYS: None

ABSENT: Commissioner DuBuc

MOTION ADOPTED

Commissioner DuBuc returned to the table at 9:15 p.m.

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**SIDEWALK CAFÉ
511, 511 S. MAIN**

Mayor Ellison recused himself from any discussion on this item.

Moved by Commissioner Mahrle
Seconded by Mayor Pro Tem Fournier

Be it resolved, the city commission hereby authorizes the city attorney to prepare a license agreement for "511" at 511 South Main Street permitting an encroachment into the public right-of-way of South Main Street for purposes of an outdoor seating area; and

Be it further resolved, the mayor and city clerk are authorized to execute said license agreement when prepared.

AYES: Commissioner Douglas, DuBuc, Mahrle, Paruch, Poulton and Mayor Pro Tem Fournier

NAYS: None

ABSTAIN: Mayor Ellison

MOTION ADOPTED

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**PUBLIC HEARING OF NECESSITY
STANDARD RESOLUTIONS 3 AND 4
SPECIAL ASSESSMENT PAVING OF SOUTH EDISON AVENUE**

Mayor Ellison opened the public hearing.

Ms. Sarah Tilchen, 223 S. Edison, supported the paving and thanked the city for working with them. The dust was a big concern on the street.

There being no one else who wished to speak the public hearing was closed.

Moved by Commissioner Poulton
Seconded by Commissioner Mahrle

Whereas, the city commission, after due and legal notice, has met and heard all interested persons to be affected by the proposed public improvements hereinafter described; and

Whereas, the city commission deems it advisable and necessary to proceed with said public improvements:

27-foot wide, 7-inch thick concrete pavement including integral curb and gutter of S.
Edison Avenue from 11 Mile Road to south property line of 227 S. Edison Avenue

Now, therefore be it resolved that:

1. The city commission hereby determines to make the public improvements described above and to defray the cost by special assessment upon the property specially benefited in proportion to the benefits to be derived.

2. The city assessor is directed to prepare and finalize the profiles, plans, and specifications for the public improvements.

3. The city commission tentatively determines that of said total estimated cost the sum of \$74,025 be paid by special assessment upon the properties specially benefited, as more particularly hereinafter described, and that the sum \$217,638 shall be the obligation of the city by reason of general benefit to the city.

4. The city commission hereby designates the following lots and parcels of land as the property to comprise the special assessment district upon which the special assessments shall be levied:

25-23-101-021 25-23-101-022 25-23-102-001 25-23-102-005 25-23-102-006 25-23-102-007
25-23-102-008 25-23-102-009 25-23-102-010 25-23-102-043 25-23-102-044

5. When the assessor shall have completed the special assessment roll, he shall report the same to the commission and the same shall be filed with the city clerk, such report shall be signed by the assessor and may be in the form of a certificate as provided for in chapter twelve, section seven of the charter of the City of Royal Oak, Michigan, indicating that he has conformed in all things to the directions contained in this resolution and the charter of the City of Royal Oak, Michigan relating to such assessment.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

ADOPTED UNANIMOUSLY

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Moved by Commissioner Poulton
Seconded by Commissioner Mahrle

Whereas, the assessor has prepared a special assessment roll for the purpose of specifically assessing that portion of the costs of the public improvement more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the city commission by the city clerk.

Now, therefore be it resolved:

1. Said Special Assessment Roll No. 2401 is hereby accepted and shall be filed in the office of the city clerk for public examination.
2. The city commission shall meet at the city hall, at 7:30 o'clock, p.m., Eastern Time on May 23, 2016 for the purpose of hearing all persons interested in said special assessment roll and reviewing the same, and at said meeting all interested persons shall be afforded an opportunity to be heard.
3. The city clerk is directed to publish the notice of said hearing once in the Royal Oak Review, Warren, Michigan, a newspaper of general circulation in the City of Royal Oak, said publication to be not less than five (5) full days prior to the date of said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of or person in interest in property to be assessed as shown by the last general tax assessment roll of the city, at least ten (10) full days before the time of said hearing, and said notice to be mailed to the addresses shown on said general tax rolls of the city.
4. The notice of said hearing to be published and mailed shall be in substantially the following form:

Notice of Hearing to Review
Special Assessment Roll
City of Royal Oak
County of Oakland, Michigan

To the owners of all property within the following described special assessment district:

Take notice, that a special assessment roll has been prepared for the purpose of defraying the special assessment district's share of the cost of the following described public improvement:

27-foot wide, 7-inch thick concrete pavement including integral curb and gutter of
S. Edison Avenue from 11 Mile Road to south property line of 227 S. Edison
Avenue

The special assessment district is comprised of the following described property:
Tax parcels identified as:

25-23-101-021 25-23-101-022 25-23-102-001 25-23-102-005 25-23-102-006
25-23-102-007 25-23-102-008 25-23-102-009 25-23-102-010 25-23-102-043
25-23-102-044

The said special assessment roll is on file for public examination with the city clerk and any objections to said special assessment roll may be made in writing prior to the close of the hearing to review said special assessment roll.

Take further notice that the city commission and the assessor will meet at the City Hall, 211 Williams Street, at 7:30 o'clock, p.m., Eastern Time on May 23, 2016, for the purpose of reviewing said special assessment roll and hearing any objections thereto.

Melanie Halas, City Clerk

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

ADOPTED UNANIMOUSLY

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**CENTRAL PARK DEVELOPMENT GROUP
PREFERRED DEVELOPER EXCLUSIVITY PERIOD EXTENSION**

Moved by Commissioner DuBuc
Seconded by Commissioner Poulton

Be it resolved, the city commission hereby approves executing the attached First Amendment to Mutual Non-Disclosure and Exclusivity Agreement; and

Be it further resolved, city staff shall be prohibited from marketing the city hall site during this additional three month period; and

Be it further resolved, after expiration of the additional three month period (August 3, 2016), this Resolution is rescinded and the City of Royal Oak and Central Park Development Group, LLC, shall have no obligations to each other with respect to the City Hall Site.

FRIENDLY AMENDMENT OFFERED BY COMMISSIONER DUBUC TO AMEND THE MOTION BY ADDING THAT ANOTHER SPECIAL CITY COMMISSION BE SCHEDULED AT AN ALTERNATE SITE TO ALLOW PUBLIC INPUT ON THE PROPOSED CITY CENTER

MOTION NOW READS:

Be it resolved, the city commission hereby approves executing the attached First Amendment to Mutual Non-Disclosure and Exclusivity Agreement; and

Be it further resolved, city staff shall be prohibited from marketing the city hall site during this additional three month period; and

Be it further resolved, after expiration of the additional three month period (August 3, 2016), this Resolution is rescinded and the City of Royal Oak and Central Park Development Group, LLC, shall have no obligations to each other with respect to the City Hall Site.

Be it further resolved, that a special city commission meeting be scheduled at an alternate site to allow public input on the proposed city center.

ADOPTED UNANIMOUSLY

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**AGE AND RESIDENT REQUIREMENTS FOR ELECTED OFFICE
BALLOT LANGUAGE**

Moved by Commissioner Mahrle
Seconded by Commissioner DuBuc

Be it resolved, the City Commission adopts with an affirmative vote of at least 3/5 of its members (5 of 7) the proposed changes (Proposal B) to the City of Royal Charter, if adopted by the electors, at Chapter Three, Section 3 and Chapter Four, Section 4 of the Royal Oak City Charter; and

Be it further resolved, the City Clerk shall transmit a copy of the proposal and this resolution to the Governor and to the Attorney General of the State of Michigan for review and approval; and

Be it further resolved, the Clerk shall also publish the current text of the sections of the Charter proposed for amendment or deletion and the proposed text of the Charter amendments and changes in accordance to Michigan law; and

Be it finally resolved, once approved by the Governor, the proposed Charter amendment proposal be placed before the electors at the special election scheduled for Tuesday, August 2, 2016:

Ballot language:

**CITY OF ROYAL OAK CHARTER AMENDMENT
PROPOSAL B: REQUIREMENTS FOR ELECTIVE OFFICE**

Chapter Three, Section 3, and Chapter Four, Section 4 prevents anyone under 25 years of age who has not been a resident of Royal Oak for two years and a freeholder in the city (owner of real estate) from seeking city elective office. Neither the freeholder requirement nor the two-year residency requirements are legally enforceable due to court decisions. The proposed amendment would delete the freeholder requirement and allow registered voters who will have been residents of the City for at least one year preceding the election to run for elective city office.

Shall the proposal be adopted?

☐ YES

☐ NO

ROLL CALL VOTE

AYES: Commissioner Mahrle, Commissioner Paruch, Commissioner Douglas, Commissioner DuBuc, Mayor Ellison, Mayor Pro Tem Fournier

NAYS: Commissioner Poulton

MOTION ADOPTED

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2016 SIDEWALK IMPROVEMENT PROGRAM EXEMPTIONS

Moved by Commissioner Douglas
Seconded by Commissioner Mahrle

Be it resolved, the city commission hereby grants exemptions from installing new sidewalks where no sidewalk currently exists at the locations shown in Table I below excluding item 9.

FRIENDLY AMENDMENT OFFERED BY COMMISSIONER MAHRLE TO AMEND THE MOTION TO INCLUDE REMOVING ITEM 45.

Be it resolved, the city commission hereby grants exemptions from installing new sidewalks where no sidewalk currently exists at the locations shown in Table I below excluding items 9 and 45.

ADOPTED UNANIMOUSLY

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Moved by Commissioner Mahrle
Seconded by Commissioner DuBuc

Be it resolved, the city commission hereby grants exemptions from installing new sidewalk where no sidewalk currently exists at the location in item 9 of Table I.

AYES: Commissioners Douglas, DuBuc, Mahrle, Poulton, Mayor Pro Tem Fournier and Mayor Ellison

NAYS: None

ABSTAIN: Commissioner Paruch

MOTION ADOPTED

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Moved by Commissioner Poulton
Seconded by Commissioner Paruch

Be it resolved, the city commission hereby grants exemptions from installing new sidewalks where no sidewalk currently exists at the locations shown in Table II in items 7, 8, 10 and 11.

AYES: Commissioners DuBuc, Paruch, Poulton, Mayor Pro Tem Fournier and Mayor Ellison

NAYS: commissioners Douglas and Mahrle

MOTION ADOPTED

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Moved by Commissioner Mahrle
Seconded by Commissioner Douglas

Be it resolved, the city commission hereby deems that new public sidewalks shall be installed adjacent to the remaining properties listed in Table II and item 45 in Table I under the 2016 sidewalk improvement program; and

Be it further resolved, that items 39A and 48 both include the addition of crosswalks.

Moved by commissioner Poulton
Seconded by commissioner

Be it resolved that the motion install new public sidewalks adjacent to the remaining properties in Table II and item 45 in Table I including crosswalks in items 39A and 48 be tabled.

MOTION FAILS FOR LACK OF SUPPORT

Be it resolved, the city commission hereby deems that new public sidewalks shall be installed adjacent to the remaining properties listed in Table II and item 45 in Table I under the 2016 sidewalk improvement program; and

Be it further resolved, that items 39A and 48 both include the addition of crosswalks.

FRIENDLY AMENDMENT OFFERED BY COMMISSIONER MAHRLE TO AMEND THE MOTION BY REMOVING ITEMS 14, 15, 16, 17, 18, 19, 20, 21, 24, 25 AND 26 FOR FUTURE CONSIDERATION.

MOTION NOW READS:

Be it resolved, the city commission hereby deems that new public sidewalks shall be installed adjacent to the properties listed in items 1, 3, 4, 12, 13, 27, 29, 30, 31, 32, 33, 34, 35, 36, 37, 39A, 40, 41, 42, 43, 44, 46, 47, 48 in Table II and item 45 in Table I under the 2016 sidewalk improvement program; and

Be it further resolved, that items 39A and 48 both include the addition of crosswalks; and

Be it finally resolved, that discussion of items 14, 15, 16, 17, 18, 19, 20, 21, 24, 25 and 26 in Table II be postponed for future consideration.

AYES: Commissioners Douglas, DuBuc and Mahrle

NAYS: Commissioners Paruch, Poulton, Mayor Pro Tem Fournier and Mayor Ellison

MOTION FAILS

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Moved by Commissioner Poulton
Seconded by Commissioner DuBuc

Be it resolved that the city commission hereby tables discussion of the remaining sidewalk exemption recommendations until the May 23, 2016 meeting.

AYES: Commissioners DuBuc, Paruch, Poulton, Mayor Pro Tem Fournier and Mayor Ellison

NAYS: Commissioners Douglas and Mahrle

MOTION ADOPTED

The commission took a brief recess at 10:42 p.m. and returned to the table at 10:49 p.m.

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**SOLID WASTE AND RECYCLING MILLAGE RENEWAL
BALLOT LANGUAGE**

Commissioner Paruch had issues with the ballot language.

This item will be brought back at the May 9, 2016 meeting.

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**SETTLEMENT AGREEMENT AND RELEASE
ANGELOFF VS. CITY OF ROYAL OAK**

Moved by Commissioner Douglas
Seconded by Commissioner DuBuc

Be it resolved, the City Commission approves the proposed Settlement and Release Agreements in with the plaintiff *Angeloff v City of Royal Oak and Grand Trunk Western*, Oakland County Circuit Court Case No. 13-133293-NI; and

Be it further resolved, the mayor and city clerk are authorized to execute the Settlement and Release Agreements on behalf of the City.

ADOPTED UNANIMOUSLY

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**900 NORTH EDGEWOOD
AUTHORIZATION TO FILE SUIT**

Moved by Commissioner Paruch
Seconded by Commissioner Douglas

Be it resolved, the City Commission hereby authorizes the City Attorney to file suit in Oakland County Circuit Court in regard to the breach of the loan documents for 900 North Edgeworth; and

Be it further resolved, the Housing Assistance Program is authorized to pay the back taxes to remove the property from the county forfeiture rolls.

ADOPTED UNANIMOUSLY

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MAIN STREET ROAD DIET PILOT PROJECT

Economic Development Director Thwing briefly explained what the project would entail.

Moved by Mayor Pro Tem Fournier
Seconded by Commissioner Mahrle

Be it resolved, the mayor and city clerk are authorized to execute a contract with PK Contracting of Troy, Michigan to install pavement markings and signage for the temporary road diet along Main Street as outlined in the request-for-proposals RFP-SBP-016-035, and directs staff to issue a purchase order in the amount of \$20,060.75; and

Be it further resolved, the mayor and city clerk are authorized to execute a contract with Opus International Consultants of Novi, Michigan to study and evaluate resulting traffic impacts and

effects from the temporary road diet along Main Street as outlined in the request-for-proposals RFP-SBP-016-034, and directs staff to issue a purchase order in the amount of \$10,644.00.

ADOPTED UNANIMOUSLY

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Upon motion of Mayor Pro Tem Fournier, seconded by Commissioner Mahrle, and adopted unanimously, the regular meeting was adjourned at 11:09 p.m.

Melanie Halas, City Clerk

The foregoing minutes of the regular meeting held on Monday, April 25, 2016, having been officially approved by the city commission on Monday, May 9, 2016, are hereby signed this ninth day of May 2016.

James B. Ellison, Mayor